महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम,१९६६
बृहन्मुंबई विकास नियंत्रण नियमावलतील नियमामध्ये कलम ३७(१) अन्वये करावयाच्या फेरबदलाबाबतचो अधिसूचना.

२५६।ना।७.२२
१५।१०।०९

महाराष्ट्र शासन,
नगर विकास विभाग,
शासन अधिसूचना क्रमांक: टिपीबी-४३०४/११७७०/प्र.क्र.३१९/२००४/नवि-११
मंत्रालय, मुंबई : ४०० ०३२.
दिनांक : ३१ ऑगस्ट,२००९.

शासन निर्णय:- सोबतची अधिसूचना राज्य शासनाच्या साधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,

(राजेंद्र हावडे)
अवर सचिव, महाराष्ट्र शासन.

प्रति,
महापालिका आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.
संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
उपसंचालक, नगर रचना, बृहन्मुंबई, मुंबई.
उप सचिव, नगर रचना, नगर विकास विभाग, मंत्रालय, मुंबई.
प्रमुख अभियंता (वि.नि.), बृहन्मुंबई महानगरपालिका मुंबई.
व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.
(त्यांना विनंती करण्यांत येते की, सोबतची अधिसूचना महाराष्ट्र शासनाचे साधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करण्यात येवून त्याच्या प्रत्येकी ३५ प्रती नगर विकास विभाग, (नवि-११), मंत्रालय, मुंबई-३२ व उप संचालक, नगर रचना, बृहन्मुंबई, मुंबई यांना पाठविण्यांत याव्यात.)
कक्ष अधिकारी (संगणक कक्ष) (नवि-२९), नगर विकास विभाग, मंत्रालय, मुंबई ४०० ०३२.
(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रदर्शित करण्याबाबत आवश्यक ती कार्यवाही करावी.)
निवडनस्ती (नवि-११).
सेक्शन ३७ फाईल.

Maharashtra Regional and
Town Planning Act, 1966.

- **Modification to Regulation 56 & 57 of Development Control Regulation for Gr. Mumbai under section 37(2).**

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated: 31st August, 2009.

NOTIFICATION

No. TPB-4304/2770/CR-312/04/UD-11:

Whereas the Development Control Regulations of Greater Mumbai (hereinafter referred to as "the said Regulations") have been sanctioned by the Government vide Urban Development Department Notification No. DCR 1090/RDP/UD-11 dated 20th February, 1991, under section 31(1) of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") to come into force with effect from 25/3/1991;

And whereas, as per Regulation No. 56(3)(c) and 57(4)(c), of the said regulations any industrial land can be permitted to be utilised for any of the permissible user in Residential & Commercial Zone, subject to provision of land for public utilities and amenities;

And whereas, Govt. vide notification of even no. dated 14th May, 2007, had sanctioned the modification in the regulation No. 56(3)(c) and 57(4)(c) of the said Regulations,

And whereas, the said Corporation raised a query that whether the notification of even no. dated 14/5/2007 can be made applicable to the proposals where development permission had been issued as per earlier clarification dated 20/10/95 and those owners/developers have now come forward to consider their cases as per present notification as they are ready to comply or follow the condition mentioned in present notification dated 14/5/07 in toto,

And whereas, by considering the above point of the said Corporation the Govt. finds it necessary to amend the said regulation No. 56(3)(c) and 57(4)(c) and accordingly Government issued the notice of even no. dated 12/11/08 (hereinafter referred to as "the said notice") for inviting suggestions/objections from any person with respect to the said modification;

And whereas, as per the said notice Government has appointed Dy. Director of Town Planning Gr. Mumbai as an officer under section 162 of the said Act (hereinafter referred to as "the said officer") scrutinize any suggestions/objections received, grant hearing to the persons submitting suggestions/objections including Municipal Corporation of Gr. Mumbai

hereinafter referred to as "the said Corporation") and to submit his report to the Government regarding the said modification;

And whereas, the said notice was published in the Government Gazette (Ordinary) dated 25/12/08 and the said notice was published in the news paper namely The Asian Age dated 5/12/08;

After completing the procedure as laid down under section 37(1AA) of the said Act, the said Officer has submitted his report to Govt. on 16/2/09 (hereinafter referred to as "the said Report") and whereas, hearing was granted by the said officer to the concerned persons including the said Corporation,

And whereas, after consulting Director of Town Planning, Maharashtra State, Govt. is of opinion that the said modification should be sanctioned with some changes

Now therefore, in exercise of the powers vested under section 37(2) of the said Act, Government hereby :-

A) Sanction the said modification as mentioned in the schedule attached herewith.

B) Fixes the date of publication of this notification in the Government Gazette as the date of coming into force of this notification.

C) Directs the said Corporation that in the schedule of modification sanctioning the said regulations, after the last entry, the schedule referred to as (A) above shall be added.

By order and in the name of the Governor of Maharashtra,

(Rajendra Habde)
Under Secretary to Government

SCHEDULE

(Accompaniment to notification No. TPB 4304/2770/CR-312/04/UD-11 dated 31st August, 2009)

Following sub-regulation No.(3)(c)(vi) and (4)(c)(vi) shall be added in Regulation No. 56 & 57 respectively –

Sub-Regulation No. (3)(c)(vi) & (4)(c)(vi):

If the development is already in progress as per clarification vide letter No. TPB 4393/1957/CR-230/UD-11 dated 20/10/1995 and if full occupation certificate has not been granted, then the land owners/developer may convert the proposal in accordance with the provisions of notification dated 14/5/07 subject to following conditions –

Conditions:

1) The revised provisions will be applicable in toto. The benefit of both old and revised regulations shall not be allowed.
2) The benefit of revised regulations will be applicable only in the cases where (a) full occupation certificate has not been granted and (b) required amenity space or D.P. reservations, if any, has not been handed over to the Corporation.

(Rajendra Habde)
Under Secretary to Government.